

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA

-v-

10-CR-268-TJM

JERRY ROBBINS a/k/ JERRY ROBINS,
d/b/a FINISH LINE AUTO SALES
a/k/a FINISH LINE AUTO,

Defendant

FINAL ORDER OF FORFEITURE

WHEREAS, on May 6, 2015, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Section 982(a)(1), based upon the Court's determination that the following property is subject to forfeiture as a result of the defendant, JERRY ROBBINS', conviction upon a jury verdict rendered on November 4, 2014:

1. The premises, buildings, appurtenances, improvements and real property located at 2399 Bailey Avenue, Buffalo, New York and more particularly described in a certain deed dated August 22, 2003 and recorded on August 28, 2003 in the Erie County Clerk's Office in Liber 11053 of Deeds at Page 2133; and
2. The sum of \$70,275.00 United States currency to be evidenced by judgment issued by this Court against the defendant.

AND, WHEREAS, the United States posted notice of this action on an official government internet site (www.forfeiture.gov) for at least thirty (30) consecutive days, beginning on May 7, 2015 and ending on June 5, 2015 of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and further

notifying all third parties of their right to petition the Court within sixty (60) days of the first date of publication for a hearing to adjudicate the validity of their alleged legal interest in the property;

AND, WHEREAS, since final publication on an official government internet site ended on June 5, 2015, and since that time, no other persons have filed a petition with the Court seeking a hearing to adjudicate the validity of their interests in the property;

NOW, THEREFORE, pursuant to Federal Rules of Criminal Procedure Rule 32.2(b); it is hereby

ORDERED, that all of the title, interest and rights, both legal and equitable, that defendant, JERRY ROBBINS, possesses in the premises and real property known as 2399 Bailey Avenue, Buffalo, New York and the mailing address of 2401 Bailey Avenue, Buffalo, New York, is hereby condemned and forfeited to the United States of America pursuant to Title 18, United States Code, Section 982(a)(1); and it is further

ORDERED, that all right, title and interest in the premises and real property known as 2399 Bailey Avenue, Buffalo, New York a/k/a 2401 Bailey Avenue, Buffalo, New York, vests in the United States of America, and the property further described in the attached Exhibit "A" shall be disposed of according to law by the U.S. Department of Treasury or its

representative; and it is further

ORDERED, that the U.S. Department of the Treasury or its representative is authorized to secure and assume full custody and control of the premises and real property known as 2399 Bailey Avenue, Buffalo, New York a/k/a 2401 Bailey Avenue, Buffalo, New York, and to take any further action it deems necessary for the purpose of maintaining, selling and disposing the property in accordance with law, including physically removing any occupants and personal property; and it is further

ORDERED, that the defendant, JERRY ROBBINS, shall execute all necessary documents as required by the government to transfer clear title to a bona fide purchaser for value; and it is further

ORDERED, that any interests of all other individuals and entities who failed to file a proper petition with this Court are forever barred, forfeited and terminated from asserting an interest in the above referenced property; and it is further

ORDERED, the sum of \$70,275.00 United States currency is hereby forfeited to the United States pursuant to Title 18, United States Code, Section 982(a)(1); and it is further

ORDERED, that a Judgment against the defendant, JERRY ROBBINS, and in favor of the United States of America in the amount of \$70,275.00 United States currency, plus

interest from the date of judgment at the current legal rate, computed daily and compounded annually until paid in full, shall be entered by the Clerk of the Court for the Western District of New York; and it is further

ORDERED, that this Judgment shall be duly recorded in the records of the County Clerk's Office in the county of the defendant's residence and any and all other counties in which the defendant has either real or personal property as a lien thereon; and it is further

ORDERED, that upon the sale of the real property by the U.S. Department of the Treasury or its representative to a bona fide purchaser for value and after the payment of all costs and expenses associated with the maintenance and sale of 2399 Bailey Avenue, Buffalo, New York a/k/a 2401 Bailey Avenue, Buffalo, New York, the net proceeds shall be forfeited to the United States of America and disposed of according to law; and it is further

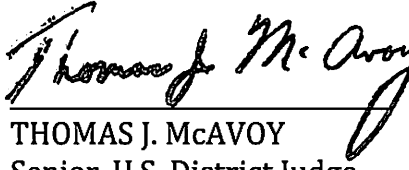
ORDERED, upon payment of the Judgment in full, the United States shall file with the Clerk of the Court and the appropriate Clerk of the County in which any transcript has been filed, a Satisfaction of Judgment; and it is further

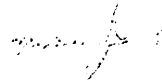
ORDERED, that the judgment be, and the same is entered in accordance with the foregoing; and it is further

ORDERED, the Court shall retain jurisdiction to enforce this Order, and to amend it

as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

DATED: July 8th, 2015.


THOMAS J. McAVOY
Senior, U.S. District Judge



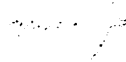


Exhibit "A"

All that certain plot, piece or parcel of land, situate in the City of Buffalo, County of Erie and State of New York, being part of Lot No. 44, Township 11, Range 7 of the Holland Land Company's Survey and according to a Map filed in the Erie County Clerk's Office under Cover No. 519, is known as Subdivision Lots No. 30, 31, 32, 33, 34 and 35 in Block "F", together being one hundred (180) feet front and rear by one hundred fifteen (115) feet in depth, situate on the easterly side of Bailey Avenue, commencing two hundred thirty-five (235) feet southerly from the intersection of the said line of Bailey Avenue with the southerly line of Wecker Avenue (formerly Alexander Avenue), as shown on said Map, including concrete brick front building situated thereon.